

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JASON LEE HATHAWAY,
Plaintiff,

2:12-cv-614-CL

v.

ORDER

CORRECTIONS SGT. E. COTE, et al.,
Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation and the matter is now before me. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff filed objections and I have reviewed the file of this case *de novo*. See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Bus. Mach.,

Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). I conclude the Report is correct.

I adopt the Report and Recommendation (#53). Defendants' motion to dismiss (#42) is GRANTED and this action is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 10 day of May, 2013.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE